

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**DARREN FOREMAN**

**Plaintiff,**

V.

**CITY OF FORT WORTH, a municipal corporation, TOM HIGGINS, KAREN MARSHALL, RACHAEL BUCKLEY, ANGELA SHERMAN, RICHARD ZAVALA, SANDRA YOUNGBLOOD, ANN MARIE MENDEZ, GEORGE KRUZIK, RALPH CANO, and DOUG HERRON, and Does 1 through 5, all in their individual and official capacities,**

**Defendants.**



**Civil Action No. 4:13-CV-00526-Y**

## **DECLARATION OF RUSSELL D. CAWYER**

I, Russell D. Cawyer, hereby declare as follows under penalty of perjury:

1. “I am an attorney duly licensed to practice in the State of Texas, and am a partner with the law firm of Kelly Hart & Hallman LLP (“Kelly Hart”), which has its offices and principal place of business at 201 Main Street, Suite 2500, Fort Worth, Texas 76102. I have personal knowledge of all matters contained within this declaration and they are true and correct. I am over 21 years of age and am competent to make this declaration.

2. “The firm of Kelly Hart was retained to represent Richard Zavala (“Defendant”) in his individual capacity in his defense against claims brought by Darren Foreman in the above-styled cause of action.

3. “I have been licensed to practice law in Texas since 1995. I am board certified in labor and employment law by the Texas Board of Legal Specialization and am admitted to



practice in the Northern, Southern, Eastern and Western Districts of Texas, the Eastern District of Michigan, and the Circuit Courts of Appeals for the Fifth, Ninth and Tenth Circuits.

4. “Paige P. Biggs, an associate who worked this matter, has been licensed to practice law since 2005. She is admitted to practice in the Northern, Eastern, and Western Districts of Texas, and the Circuit Court of Appeals for the Ninth Circuit.

5. “Ezra R. Kuenzi, an associate who worked on this matter, has been licensed to practice law since 2011. He is admitted to practice in the Northern, Southern, Eastern, and Western Districts of Texas, and the Circuit Court of Appeals for the Fifth Circuit.

6. “I have practiced in Tarrant County and in the Northern District of Texas for approximately 17 years. I am familiar with the usual and customary rates charged for similar legal services performed in Tarrant County and particularly within the Northern District of Texas, Fort Worth Division. I have based my opinions expressed in this declaration on my knowledge of the lawyers involved in handling this case. I am the lawyer in charge of this file at Kelly Hart.

7. “Kelly Hart keeps contemporaneous records of the hours spent and fees incurred on behalf of its clients. Attached hereto as Exhibit A-1 are true and correct copies of Kelly Hart’s billing records demonstrating the time incurred by Kelly Hart for the defense of Mr. Zavala in this case. The attorneys and paralegal at our firm spent the time stated doing the work described which was exclusively performed in the defense of Plaintiff’s lawsuit against Mr. Zavala. The time that is documented in Exhibit A-1 to this declaration is reasonable and necessary for Kelly Hart’s defense of Mr. Zavala in this case. I certify that the business records of Kelly Hart attached to this declaration as Exhibit A-1 (a) were made by, or from information transmitted by, a person with knowledge of the events or conditions recorded; (b) were made at

or near the time of the events or conditions recorded; (c) were kept in the regular course of Kelly Hart's business; and (d) were made in the regular course of Kelly Hart's business.

8. "A reasonable and customary rate of an attorney with my similar background, knowledge, training and experience would charge for the services I rendered in this matter is between \$365.00 and \$405.00 per hour. Because I elected to give Mr. Zavala a discounted rate in this case for my services (\$250.00 per hour), I am seeking an award of fees below what I believe is reasonable and customary in the Northern District of Texas.

9. "A reasonable and customary rate of an attorney with Ms. Biggs' similar background, knowledge, training and experience would charge for the services she rendered in this matter is between \$250.00 and \$325.00 per hour. Because I elected to give Mr. Zavala a discounted rate in this case for Ms. Biggs' services (\$150.00 per hour), I am seeking an award of fees below what I believe is reasonable and customary in the Northern District of Texas.

10. "A reasonable and customary rate of an attorney with Mr. Kuenzi's similar background, knowledge, training and experience would charge for the services he rendered in this matter is between \$210.00 and \$250.00 per hour. Because I elected to give Mr. Zavala a discounted rate in this case for Mr. Kuenzi's services (\$150.00 per hour), I am seeking an award of fees below what I believe is customary in the Northern District of Texas.

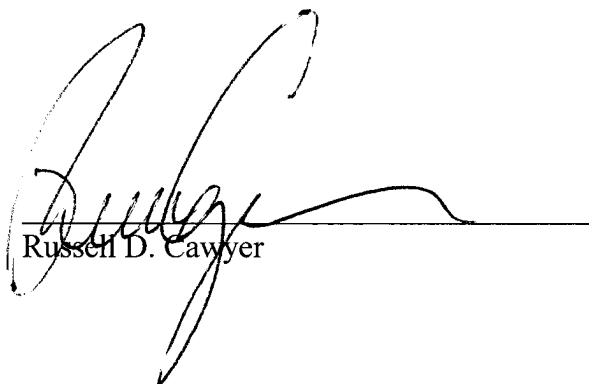
11. "A reasonable and customary rate a paralegal would charge for the services rendered by Victoria Anderson, Kelly Hart's paralegal assigned to this matter, in this matter is between \$160.00 and \$190.00 per hour. Because I elected to give Mr. Zavala a discounted rate in this case for Ms. Anderson's services (\$75.00 per hour), I am seeking an award of fees below what I believe is reasonable and customary in the Northern District of Texas.

12. "The award of attorneys' fees requested by Mr. Zavala is \$20,526.50, an amount which is below what would be reasonable and customary for a prevailing party's attorney in a

civil rights or employment discrimination case. However, because I provided Mr. Zavala with a discounted rate, I am limited my fee request to the actual fees billed on behalf of defending Mr. Zavala.

13. “Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 30, 2015.



Russell D. Cawyer

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

December 23, 2013  
 Invoice #399633

Client # 10189  
 Matter # 10189.0101  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through November 30, 2013

11/04/13	R. Cawyer	Telephone conference with regarding	.25	\$62.50
		; revisions		
11/04/13	A. Biggs	to Email correspondence with clients regarding	.15	\$22.50
11/05/13	R. Cawyer	- Review and revise and forward same to	.10	\$25.00
11/05/13	R. Cawyer	Telephone conference with regarding	.05	\$12.50
11/05/13	R. Cawyer	Research connected with	.65	\$162.50
11/05/13	A. Biggs	Draft Motion to Dismiss, Brief in Support and Conditional Motion for Sanctions.	3.50	\$525.00
11/06/13	R. Cawyer	Review and revisions to motion to dismiss;	.30	\$75.00
11/06/13	R. Cawyer	Telephone conference with regarding	.15	\$37.50



## Kelly Hart &amp; Hallman LLP

Richard Zavala  
 Matter # 10189.0101  
 Darren Foreman

Dec 23, 2013  
 Invoice #399633  
 Page 2

11/06/13	A. Biggs	Review and revise Motion to Dismiss and Conditional Motion for Sanctions; research regarding same; email correspondence with	1.95	\$292.50
11/06/13	V. Anderson	regarding Add a certificate of conference to defendants motion to dismiss and motion for sanctions; prepare order granting same motion.	.25	\$18.75
11/07/13	R. Cawyer	Review and revise motion to dismiss and brief in support on limitations issues;	.50	\$125.00
11/07/13	R. Cawyer	Review Cano defendants' motion to dismiss;	.15	\$37.50
11/07/13	A. Biggs	Review and revise Motion to Dismiss and Conditional Motion for Sanctions.	2.85	\$427.50
11/08/13	A. Biggs	Email correspondence with client regarding review same; email correspondence with Russell Cawyer regarding attempt to	.65	\$97.50
11/11/13	R. Cawyer	contact opposing counsel via telephone to confer on same. Review answer of Mendez and Youngblood;	.05	\$12.50
11/11/13	A. Biggs	Review and revise Motion to Dismiss and order granting same; telephone conference with opposing counsel to confer on same; review and revise Joint Defense Agreement; research regarding same.	2.10	\$315.00
11/12/13	R. Cawyer	Analysis of City's Motion to Dismiss.	.20	\$50.00
11/12/13	A. Biggs	Attempt to contact regarding research regarding same; review and revise Certificate of Interested Persons to file on behalf of Higgins and Zavala.	.80	\$120.00
11/12/13	V. Anderson	Prepare certificate of interested persons for defendants.	.35	\$26.25
11/13/13	A. Biggs	Email correspondence with regarding	.05	\$7.50

## Kelly Hart &amp; Hallman LLP

Richard Zavala  
 Matter # 10189.0101  
 Darren Foreman

Dec 23, 2013  
 Invoice #399633  
 Page 3

11/14/13	A. Biggs	Telephone conference with regarding email correspondence with regarding same.	.35	\$52.50
11/20/13	A. Biggs	Email correspondence with regarding	.05	\$7.50
Total			15.45	\$2,512.50

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEEs
R Cawyer	Partner	250.00	2.40	600.00
A Biggs	Associate	150.00	12.45	1867.50
V Anderson	Legal Assistant	75.00	.60	45.00
TOTALS			15.45	2512.50

## Disbursements

Postage	0.23
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Total Disbursements	\$ .23
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Total This Invoice	\$2,512.73
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CURRENT AMOUNT DUE	\$2,512.73
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Year to Date Fees:	\$ .00	Disbursements:	\$ .00	Total:	\$ .00
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Life to Date Fees:	\$ .00	Disbursements:	\$ .00	Total:	\$ .00
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Kelly Hart & Hallman LLP  
201 Main, Suite 2500  
Fort Worth, TX 76102  
(817) 332-2500  
Taxpayer ID# 20-3856550

January 17, 2014  
Invoice #401318

Client # 10189  
Matter # 10189.0101  
Darren Foreman

WILL NOT PAY: meals except when traveling, must  
have copy of travel expense, no ordinary postage

Legal services rendered through December 31, 2013

12/02/13	R. Cawyer	Analysis of plaintiff's second amended complaint and appendix.	.50	\$125.00
12/02/13	R. Cawyer	Review and revision to motion to strike amended complaint.	.25	\$62.50
12/02/13	A. Biggs	Draft Motion to Strike; research regarding same.	3.25	\$487.50
12/02/13	V. Anderson	Draft motion to strike plaintiff's second amended pleadings; calendar deadline to file answer and motion to dismiss to plaintiff's second amended pleadings; prepare order granting motion to strike.	.65	\$48.75
12/03/13	R. Cawyer	Telephone conference with regarding	.10	\$25.00
12/03/13	R. Cawyer	Research connected with	.45	\$112.50
12/03/13	A. Biggs	Draft Motion to Strike; telephone conference with opposing counsel conferring on same; email correspondence with regarding	2.55	\$382.50

## Kelly Hart &amp; Hallman LLP

Richard Zavala  
Matter # 10189.0101  
Darren Foreman

Jan 17, 2014  
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Page 2

12/04/13	A. Biggs	Review and revise Motion to Strike; email correspondence and telephone conferences with regarding	2.90	\$435.00
12/05/13	A. Biggs	Email correspondence with opposing counsel regarding motion for leave to amend.	.05	\$7.50
12/10/13	A. Biggs	Draft Defendants' Motion to Dismiss Second Amended Complaint.	3.35	\$502.50
12/11/13	R. Cawyer	Review and revise Defendants Motion to Dismiss Second Amended Complaint.	.20	\$50.00
12/11/13	R. Cawyer	Review Court's order granting motion to strike amended complaint.	.05	\$12.50
12/11/13	A. Biggs	Draft Motion to Dismiss Plaintiff's Second Amended Complaint; send same to client for review; review Court's order granting Motion to Strike Second Amended Complaint.	1.55	\$232.50
12/11/13	V. Anderson	Prepare order granting motion to dismiss second amended complaint.	.15	\$11.25
12/12/13	R. Cawyer	Telephone conference with opposing counsel regarding conference about motion for leave to amend complaint.	.15	\$37.50
12/12/13	A. Biggs	Telephone conferences with opposing counsel regarding Motion for Leave to Amend pleading.	.20	\$30.00
12/13/13	A. Biggs	Return phone call.	.05	\$7.50
12/17/13	A. Biggs	Email correspondence with regarding review same.	.10	\$15.00
12/19/13	R. Cawyer	Analysis of Plaintiff's motion for leave to amend and third amended complaint.	.05	\$12.50
12/19/13	A. Biggs	Email correspondence with Russell Cawyer regarding review opposing counsel's Motion for Leave to Amend.	.60	\$90.00
12/19/13	V. Anderson	Prepare draft of defendants motion for attorneys fees, order granting same and declaration; forward all to Paige P. Biggs.	.40	\$30.00

## Kelly Hart &amp; Hallman LLP

Richard Zavala  
 Matter # 10189.0101  
 Darren Foreman

Jan 17, 2014  
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 Page 3

12/26/13	R. Cawyer	Analysis of plaintiff's amended certificate of conference.	.05	\$12.50
		Total	17.60	\$2,730.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEES
R Cawyer	Partner	250.00	1.80	450.00
A Biggs	Associate	150.00	14.60	2190.00
V Anderson	Legal Assistant	75.00	1.20	90.00
	TOTALS		17.60	2730.00

## Disbursements

Total This Invoice	\$2,730.00
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CURRENT AMOUNT DUE	\$2,730.00
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Year to Date Fees:	\$ .00	Disbursements:	\$ .00	Total:	\$ .00
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Life to Date Fees:	\$2,512.50	Disbursements:	\$ .23	Total:	\$2,512.73
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Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

February 19, 2014  
 Invoice #403123

Client # 10189  
 Matter # 10189.0101  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through January 31, 2014

01/02/14	A. Biggs	Draft Motion for Sanctions.	1.95	\$292.50
01/14/14	A. Biggs	Review Court's orders regarding motions to dismiss and Plaintiff's Motion for Leave to Amend; draft Motion for Sanctions.	.55	\$82.50
01/15/14	A. Biggs	Draft Motion for Sanctions and Brief in Support.	3.15	\$472.50
01/16/14	R. Cawyer	Review and revise motion for award of attorneys fees and affidavit in support of same.	.50	\$125.00
01/16/14	A. Biggs	Review and revise Motion for Attorneys' Fees and supporting declaration.	3.35	\$502.50
01/16/14	V. Anderson	Calculate attorney fees and number of hours billed; revise declaration and defendant's motion for sanctions.	1.10	\$82.50
01/21/14	A. Biggs	Review and revise declaration of Russell Cawyer in support of Motion for Attorneys' Fees.	.30	\$45.00
01/30/14	A. Biggs	Review and revise Motion for Attorneys' Fees; email correspondence with opposing counsel to confer on same; draft email correspondence to review	.65	\$97.50

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0101  
Darren Foreman

Feb 19, 2014  
Invoice #403123  
Page 2

email correspondence received from

telephone conference with  
opposing counsel regarding filing  
of amended petition; review  
Plaintiff's amended petition and  
attachments filed with the Court.

Total 11.55 \$1,700.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEES
R Cawyer	Partner	250.00	.50	125.00
A Biggs	Associate	150.00	9.95	1492.50
V Anderson	Legal Assistant	75.00	1.10	82.50
TOTALS			11.55	1700.00

Disbursements

Total This Invoice \$1,700.00

CURRENT AMOUNT DUE \$1,700.00

Year to Date Fees: \$2,730.00 Disbursements: \$.00 Total: \$2,730.00

Life to Date Fees: \$5,242.50 Disbursements: \$.23 Total: \$5,242.73

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

March 12, 2014  
 Invoice #404816

Client # 10189  
 Matter # 10189.0100  
 COLLECTIGN MATTER - Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through February 28, 2014

02/04/14	A. Biggs	Email correspondence with client regarding	2.20	\$330.00
		review and revise same for filing.		
02/25/14	A. Biggs	Review Plaintiff's Motion for Leave to Extend Time to Respond to Motion for Attorneys' Fees; review proposed order submitted by Plaintiff granting same.	.10	\$15.00
		Total	2.30	\$345.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEES
A Biggs	Associate	150.00	2.30	345.00
TOTALS			2.30	345.00

Disbursements

Total This Invoice \$345.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
COLLECTIGN MATTER - Darren Foreman

Mar 12, 2014  
Invoice #404816  
Page 2

CURRENT AMOUNT DUE \$345.00

Year to Date Fees:	\$ .00	Disbursements:	\$ .00	Total:	\$ .00
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Life to Date Fees:	\$ .00	Disbursements:	\$ .00	Total:	\$ .00
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Kelly Hart & Hallman LLP  
201 Main, Suite 2500  
Fort Worth, TX 76102  
(817) 332-2500  
Taxpayer ID# 20-3856550

April 17, 2014  
Invoice #408063

Client # 10189  
Matter # 10189.0101  
Darren Foreman

WILL NOT PAY: meals except when traveling, must  
have copy of travel expense, no ordinary postage

Legal services rendered through March 31, 2014

03/04/14	R. Cawyer	Analysis of plaintiff's response to motion for attorney's fees.	.40	\$100.00
03/04/14	A. Biggs	Review Plaintiff's Response to Defendants' Motion for Attorneys' Fees; draft Reply to same.	.40	\$60.00
03/04/14	V. Anderson	Calendar deadline to file reply to plaintiff's response to motion for attorney fees.	.10	\$7.50
03/05/14	A. Biggs	Research regarding	1.15	\$172.50
03/06/14	A. Biggs	Draft Reply to Defendant's Response to Motion for Attorneys' Fees.	2.05	\$307.50
03/07/14	R. Cawyer	Review and revision to Defendants' Reply to Plaintiff's Response to Motion for Attorney's Fees.	.20	\$50.00
03/07/14	A. Biggs	Review and revise Reply to Defendants' Response to Motion for Attorneys' Fees.	.40	\$60.00
03/10/14	A. Biggs	Review and revise Reply to Plaintiff's Response to Motion for Attorneys' Fees.	.95	\$142.50
03/17/14	R. Cawyer	Revisions to reply to response to motion for attorney's fees.	.15	\$37.50

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0101  
Darren Foreman

Apr 17, 2014  
Invoice #408063  
Page 2

03/17/14	A. Biggs	Review and revise Reply to Response to Motion for Attorneys' Fees in preparation for filing.	.30	\$45.00
		Total	6.10	\$982.50

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEE
R Cawyer	Partner	250.00	.75	187.50
A Biggs	Associate	150.00	5.25	787.50
V Anderson	Legal Assistant	75.00	.10	7.50
	TOTALS		6.10	982.50

Disbursements

Total This Invoice	\$982.50
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CURRENT AMOUNT DUE	\$982.50
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Year to Date Fees:	\$4,430.00	Disbursements:	\$.00	Total:	\$4,430.00
Life to Date Fees:	\$6,942.50	Disbursements:	\$.23	Total:	\$6,942.73

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

June 19, 2014  
 Invoice #411534

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through May 31, 2014

05/29/14	A. Biggs	Review email correspondence regarding opposing counsel's desire to add Zavala in as an individual defendant; review proposed amended pleading.	.20	\$30.00
05/30/14	R. Cawyer	Analysis of Plaintiff's Motion for Leave to File Third Amended Complaint and Amended Complaint.	.60	\$150.00
	Total		.80	\$180.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEES
R Cawyer	Partner	250.00	.60	150.00
A Biggs	Associate	150.00	.20	30.00
TOTALS			.80	180.00

Disbursements

Total This Invoice \$180.00

CURRENT AMOUNT DUE \$180.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Jun 19, 2014  
Invoice #411534  
Page 2

Year to Date Fees:	\$345.00	Disbursements:	\$.00	Total:	\$345.00
Life to Date Fees:	\$345.00	Disbursements:	\$.00	Total:	\$345.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

July 31, 2014  
 Invoice #413974

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through June 30, 2014

06/30/14	R. Cawyer	Analysis of Ann Mendez's opposition to motion for leave to amend.	.10	\$25.00
		Total	.10	\$25.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*	RATE	HOURS	FEES	
R Cawyer Partner	250.00	.10	25.00	
TOTALS		.10	25.00	

Disbursements

Total This Invoice	\$25.00
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CURRENT AMOUNT DUE	\$25.00
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Year to Date Fees:	\$525.00	Disbursements:	\$0.00	Total:	\$525.00
Life to Date Fees:	\$525.00	Disbursements:	\$0.00	Total:	\$525.00

Kelly Hart & Hallman LLP  
201 Main, Suite 2500  
Fort Worth, TX 76102  
(817) 332-2500  
Taxpayer ID# 20-3856550

September 22, 2014  
Invoice #417598

Client # 10189  
Matter # 10189.0100  
Darren Foreman

WILL NOT PAY: meals except when traveling, must  
have copy of travel expense, no ordinary postage

Legal services rendered through August 31, 2014

08/05/14	R. Cawyer	Telephone conference with regarding	.20	\$50.00
08/05/14	R. Cawyer	Telephone conference with opposing counsel regarding potential opposition to motion for leave to amend complaint; telephone conference with regarding same.	.40	\$100.00
08/12/14	R. Cawyer	Telephone conference with Sheri Cotton regarding plaintiff's motion for leave to amend.	.30	\$75.00
08/12/14	A. Biggs	Review Plaintiff's Motion to ReFile Third Amended Complaint; inter-office conference with Russell Cawyer regarding same.	.60	\$90.00
08/12/14	V. Anderson	Review notice from the court; calendar deadline to file response to plaintiff's motion to file third amended complaint.	.20	\$15.00
08/13/14	R. Cawyer	Analysis of Foreman's third amended complaint.	1.60	\$400.00
08/13/14	R. Cawyer	Second telephone conference with Sheri Cotton regarding dismissal of client from suit.	.30	\$75.00

## Kelly Hart &amp; Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Sep 22, 2014  
Invoice #417598  
Page 2

08/13/14	R. Cawyer	Telephone conference with Sheri Cotton regarding amendment of pleading.	.70	\$175.00
08/13/14	A. Biggs	Review Amended Motion to File Third Amended Complaint; review correspondence with opposing counsel regarding same.	.30	\$45.00
08/14/14	A. Biggs	Research regarding	.90	\$135.00
08/14/14	V. Anderson	Draft defendant's response to plaintiff's motion for leave to file third amended petition.	1.10	\$82.50
08/18/14	A. Biggs	Draft Zavala's Response and Objection to Plaintiff's Motion to Refile Third Amended Complaint.	5.30	\$795.00
08/18/14	V. Anderson	Revise defendant's objection and response to plaintiff's motion for leave.	.30	\$22.50
Total			12.20	\$2,060.00

\*-----TIME AND FEE SUMMARY-----\*

*-----TIMEKEEPER-----*		RATE	HOURS	FEEs
R Cawyer	Partner	250.00	3.50	875.00
A Biggs	Associate	150.00	7.10	1065.00
V Anderson	Legal Assistant	75.00	1.60	120.00
TOTALS			12.20	2060.00

## Disbursements

Long Distance	2.00	
Total Disbursements		\$2.00

Total This Invoice		\$2,062.00
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CURRENT AMOUNT DUE		\$2,062.00
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Year to Date Fees:	\$550.00	Disbursements:	\$0.00	Total:	\$550.00
Life to Date Fees:	\$550.00	Disbursements:	\$0.00	Total:	\$550.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

October 10, 2014  
 Invoice #419021

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through September 30, 2014

09/02/14	A. Biggs	Review/revise Zavala's Objection and Response to Plaintiff's Motion to Re-file Third Amended Complaint.	.70	\$105.00
09/03/14	A. Biggs	Review Court's order unfiling Plaintiff's Motion for Leave to Refile Third Amended Complaint and unfiling Defendant's Objection to same.	.20	\$30.00
09/10/14	R. Cawyer	Analysis of plaintiff's motion for leave to file third amended complaint.	.30	\$75.00
09/10/14	A. Biggs	Review Plaintiff's Amended Motion to Refile Third Amended Complaint.	.20	\$30.00
09/24/14	A. Biggs	Review Plaintiff's Corrected Motion to Refile Plaintiff's Third Amended Complaint; draft Zavala's Objection and Response to same.	1.90	\$285.00
09/25/14	A. Biggs	Draft Response to Plaintiff's Corrected Amended Motion to Refile Third Amended Complaint.	1.40	\$210.00
		Total	4.70	\$735.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Oct 10, 2014  
Invoice #419021  
Page 2

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEEES
R Cawyer	Partner	250.00	.30	75.00
A Biggs	Associate	150.00	4.40	660.00
TOTALS			4.70	735.00

Disbursements

Total This Invoice		\$735.00
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CURRENT AMOUNT DUE		\$735.00
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Year to Date Fees:	\$2,610.00	Disbursements:	\$2.00	Total:	\$2,612.00
Life to Date Fees:	\$2,610.00	Disbursements:	\$2.00	Total:	\$2,612.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

November 12, 2014  
 Invoice #420723

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through October 31, 2014

10/03/14	R. Cawyer	Review plaintiff's motion for extension of time to respond.	.10	\$25.00
10/20/14	A. Biggs	Review Plaintiff's reply to Zavala's Objection to Motion to File Third Amended Complaint.	.20	\$30.00
10/21/14	R. Cawyer	Analysis of plaintiff's reply to response to motion to amend complaint.	.10	\$25.00
	Total		.40	\$80.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEE
R Cawyer	Partner	250.00	.20	50.00
A Biggs	Associate	150.00	.20	30.00
TOTALS			.40	80.00

Disbursements

Total This Invoice \$80.00

CURRENT AMOUNT DUE \$80.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Nov 12, 2014  
Invoice #420723  
Page 2

Year to Date Fees:	\$3,345.00	Disbursements:	\$2.00	Total:	\$3,347.00
Life to Date Fees:	\$3,345.00	Disbursements:	\$2.00	Total:	\$3,347.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

December 12, 2014  
 Invoice #423085

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through November 30, 2014

11/26/14	A. Biggs	Email correspondence with Russell Cawyer regarding	.10	\$15.00
11/26/14	A. Biggs	Review Court orders regarding Plaintiff's Motion for Leave to File Amended Complaint.	.30	\$45.00
		Total	.40	\$60.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEE
A Biggs	Associate	150.00	.40	60.00
TOTALS			.40	60.00

Disbursements

Total This Invoice \$60.00

CURRENT AMOUNT DUE \$60.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Dec 12, 2014  
Invoice #423085  
Page 2

Year to Date Fees:	\$3,425.00	Disbursements:	\$2.00	Total:	\$3,427.00
Life to Date Fees:	\$3,425.00	Disbursements:	\$2.00	Total:	\$3,427.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

January 29, 2015  
 Invoice #425651

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through December 31, 2014

12/01/14	R. Cawyer	Drafting defendant Zavala's motion to dismiss third amended complaint.	.50	\$125.00
12/01/14	E. Kuenzi	Analysis of third amended complaint and response to plaintiff's amended corrected motion to refile third amended complaint.	.80	\$120.00
12/01/14	A. Biggs	Inter-office conference with Ezra Kuenzi regarding	.40	\$60.00
12/02/14	R. Cawyer	Drafting motion to dismiss third amended complaint.	1.90	\$475.00
12/02/14	E. Kuenzi	Research	6.30	\$945.00
		research		
		prepare		
12/03/14	R. Cawyer	Motion to Dismiss. Continued drafting defendant's motion to dismiss.	.20	\$50.00
12/03/14	J. Perry	Assist with Motion to Dismiss Third Amended Complaint.	.30	\$22.50
12/04/14	R. Cawyer	Drafting defendant's motion to dismiss third amended complaint.	2.40	\$600.00
12/04/14	E. Kuenzi	Prepare Motion to Dismiss.	3.80	\$570.00

## Kelly Hart &amp; Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Jan 29, 2015  
Invoice #425651  
Page 2

12/05/14	R. Cawyer	Revisions to motion to dismiss third amended complaint.	1.00	\$250.00
12/05/14	E. Kuenzi	Continue preparing Motion to Dismiss.	2.80	\$420.00
12/08/14	E. Kuenzi	Continue Preparing Motion to Dismiss.	3.10	\$465.00
12/09/14	R. Cawyer	Revising draft of motion to dismiss third amended complaint.	.60	\$150.00
12/09/14	E. Kuenzi	Revise Motion to Dismiss; communication regarding	2.10	\$315.00
12/09/14	J. Perry	Assist with preparation of Motion to Dismiss.	.30	\$22.50
12/19/14	R. Cawyer	Matters connected with dismissal motion for third amended complaint.	.30	\$75.00
		Total	26.80	\$4,665.00

## \*-----TIME AND FEE SUMMARY-----\*

*-----TIMEKEEPER-----*		RATE	HOURS	FEES
R Cawyer	Partner	250.00	6.90	1725.00
E Kuenzi	Associate	150.00	18.90	2835.00
A Biggs	Associate	150.00	.40	60.00
J Perry	Legal Assistant	75.00	.60	45.00
TOTALS			26.80	4665.00

## Disbursements

Delivery of Documents 1.68

Total Disbursements \$1.68

Total This Invoice \$4,666.68

CURRENT AMOUNT DUE \$4,666.68

Year to Date Fees: \$.00 Disbursements: \$.00 Total: \$.00

Life to Date Fees: \$3,485.00 Disbursements: \$2.00 Total: \$3,487.00

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

February 27, 2015  
 Invoice #427708

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through January 31, 2015

01/27/15	R. Cawyer	Analysis of Plaintiff's Response to Zavala's Motion to Dismiss.	.10	\$25.00
01/27/15	E. Kuenzi	Analysis of Plaintiff's Response to the Individual Defendants' Motion to Dismiss. Analysis of case law cited in Response brief. Research	2.80	\$448.00
01/28/15	E. Kuenzi	Prepare Reply to Response to Individual Defendants Motions to Dismiss.	8.40	\$1,344.00
	Total		11.30	\$1,817.00

\*-----TIME AND FEE SUMMARY-----\*

*-----TIMEKEEPER-----*		RATE	HOURS	FEE
R Cawyer	Partner	250.00	.10	25.00
E Kuenzi	Associate	160.00	11.20	1792.00
TOTALS			11.30	1817.00

Disbursements

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Feb 27, 2015  
Invoice #427708  
Page 2

Total This Invoice \$1,817.00

CURRENT AMOUNT DUE \$1,817.00

Year to Date Fees: \$4,665.00 Disbursements: \$1.68 Total: \$4,666.68

Life to Date Fees: \$8,150.00 Disbursements: \$3.68 Total: \$8,153.68

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

March 20, 2015  
 Invoice #428623

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

WILL NOT PAY: meals except when traveling, must  
 have copy of travel expense, no ordinary postage

Legal services rendered through February 28, 2015

02/02/15	E. Kuenzi	Prepare Reply to Plaintiff's Response to Zavala's Motion to Dismiss Plaintiff's Third Amended Complaint.	3.20	\$480.00
02/09/15	R. Cawyer	Review and revise reply brief.	.10	\$25.00
02/09/15	R. Cawyer	Analysis of Buckley's objections to plaintiff's submission of affidavits.	.10	\$25.00
02/09/15	R. Cawyer	Analysis of City's Reply to Response to Motion to Dismiss;	.20	\$50.00
02/09/15	E. Kuenzi	Analysis of declarations of former employees attached as evidence in support of Plaintiff's response brief. Prepare Motion to Strike and Objections to Submission of Evidentiary Declarations in 12(b)(6) Motion Proceeding. Revise Reply to Plaintiff's Response to Zavala's Motion to Dismiss Plaintiff's Third Amended Complaint.	1.90	\$285.00
02/25/15	E. Kuenzi	Analysis of Plaintiff's Response to Defendants Motions to Strike Exhibits; research case law regarding	2.80	\$420.00

Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Mar 20, 2015  
Invoice #428623  
Page 2

research

Prepare

reply brief.

Total 8.30 \$1,285.00

*-----TIME AND FEE SUMMARY-----*				
*-----TIMEKEEPER-----*		RATE	HOURS	FEES
R Cawyer	Partner	250.00	.40	100.00
E Kuenzi	Associate	150.00	7.90	1185.00
TOTALS			8.30	1285.00

Disbursements

Total This Invoice \$1,285.00

CURRENT AMOUNT DUE \$1,285.00

Year to Date Fees: \$6,482.00 Disbursements: \$1.68 Total: \$6,483.68

Life to Date Fees: \$9,967.00 Disbursements: \$3.68 Total: \$9,970.68

Kelly Hart & Hallman LLP  
 201 Main, Suite 2500  
 Fort Worth, TX 76102  
 (817) 332-2500  
 Taxpayer ID# 20-3856550

April 24, 2015  
 Invoice #431161

Client # 10189  
 Matter # 10189.0100  
 Darren Foreman

Legal services rendered through March 31, 2015

03/02/15	E. Kuenzi	Prepare Zavala's Reply to Plaintiff's Response to Defendants' Motions to Strike Exhibits.	1.40	\$210.00
03/04/15	E. Kuenzi	Prepare Reply to Plaintiff's Response to Defendants' Motions to Strike Exhibits.	4.60	\$690.00
03/04/15	E. Kuenzi	Research	2.70	\$405.00

research

03/11/15	E. Kuenzi	Prepare revisions to Reply to Response to Motion to Strike Exhibits; communication regarding	.30	\$45.00
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Total			9.00	\$1,350.00
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\*-----TIME AND FEE SUMMARY-----\*

*-----TIMEKEEPER-----*		RATE	HOURS	FEES
E Kuenzi	Associate	150.00	9.00	1350.00
TOTALS			9.00	1350.00

Disbursements

Delivery of Documents	1.73
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Kelly Hart & Hallman LLP

Richard Zavala  
Matter # 10189.0100  
Darren Foreman

Apr 24, 2015  
Invoice #431161  
Page 2

Total Disbursements	\$1.73
Total This Invoice	\$1,351.73
TOTAL AMOUNT DUE	\$1,351.73